

30.03.2026
Court No.25
D/L No.17
S. Gayen

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA 28945 of 2025

M/s. Kayal Construction
Versus
The State of West Bengal & Ors.

Mr. Subhabrata Datta
Mr. Shankar Prasad Dalapati
Mr. Jitendra Barik
Mr. Aranya Saha

...for the Petitioner

Mr. Asish Kumar Guha
Mr. Benazir Ahmed

...for the State

1. The grievance of the petitioner in the present writ application is that the authorities have issued the work order to the petitioner on June 14, 2018 and the per the work order, the petitioner executed the work except the length of 158 meters.
2. Learned counsel appearing for the petitioner submits that the petitioner could not complete the work with respect to the length of 158 meters due to the land dispute which has not been solved between the private parties. The petitioner has informed the same to the authorities and the authorities, after considering the request of the petitioner, found that the petitioner could not execute the remaining length of 158 meters and accordingly recommended for termination of the contract with respect to the said patch of length.

Inspite of the recommendation no action has been taken. The petitioner has made several representations and the representations are pending before the authorities for termination of the contract with respect to the said patch of length.

3. Learned counsel for the respondents submits that the request of the petitioner is pending before the competent authority for taking appropriate decision for termination of the contract with respect to the said patch of length.
4. Considering the above, this Court finds that no purpose will be served by keeping this writ petition pending. Accordingly, the writ petitioner is disposed of by directing the respondent No.2 to consider the representation filed by the petitioner along with the recommendation of the Project Director for termination of the contract with respect to the said patch of length of 158 meters within a period of four weeks from the date of receipt of this order. If the decision is taken for termination of the contract, the respondent No.3 shall take appropriate steps with regard to the release of payment in the name of the petitioner to the work executed by the petitioner within a period of two weeks thereafter.
5. WPA 28945 of 2025 is disposed of.

6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
7. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)